


CITY COUNCIL ACTION REQUEST			
Department(s): DOT	Date: 05/02/14	Coordination: City Manager's Office, Sacramento Legislative Advocate and City Attorney	Dept. Approval: /s/ Hans F. Larsen CMO Approval: 
SUBJECT: SB 1151 (CANNELLA) – VEHICLES: SCHOOL ZONE FINES			
RECOMMENDED POSITION: SUPPORT WITH AMENDMENTS			
RECOMMENDED ACTION:			
<ol style="list-style-type: none"> 1. Adopt a position of support if amended for SB 1151 (Cannella). 2. Recommend a one-week turnaround to the City Council so that the City's legislative representative can advocate the City's support if amended position for SB 1151. 			
BILL SYNOPSIS:			
<p>SB 1151 (Cannella) would:</p> <ul style="list-style-type: none"> • Impose a \$35 fine, in addition to amounts otherwise prescribed and in addition to any other penalty assessments or fees, for most major offenses committed by the driver of a vehicle under either of the following conditions: <ul style="list-style-type: none"> ○ When passing a school building or school grounds when children are entering or existing during school hours, the noon recess period, or school-sponsored activities; the building or grounds are contiguous to a highway; and the highway is posted with both a standard "SCHOOL" warning sign and an accompanying sign notifying motorists that increased penalties apply for traffic violations that are committed within that school zone. ○ When passing school grounds that are in use by children; the school grounds are not separated from the highway by a fence, gate, or other physical barrier; and the highway is posted with both a standard "SCHOOL" warning sign and an accompanying sign notifying motorists that increased penalties apply for traffic violations that are committed within that school zone. • Require the additional fines authorized by this bill to be deposited in the State Transportation Fund for purposes of funding school zone safety projects within the Active Transportation Program (ATP). 			
IMPACTS TO CITY OF SAN JOSE:			
<p>According to the author of the bill many school zones lack sufficient bicycle and pedestrian infrastructure to enable children to travel safely to school. SB 1151, if passed by the Legislature and signed by the Governor, would provide an additional tool for cities to use in school zones. The bill would impose a \$35 fine in addition to fines already in place for most major offenses committed by the driver of a vehicle. The bill would direct revenue from the fine to the state's new Active Transportation Program (ATP). The ATP encourages the use of active modes of transportation and achieves the goals through:</p> <ul style="list-style-type: none"> • Increasing the proportion of trips accomplished by biking and walking; • Increasing safety and mobility for non-motorized users; • Advancing the active transportation efforts of regional agencies to achieve greenhouse gas (GHG) reduction goals; • Enhancing public health; • Ensuring that disadvantaged communities benefit from the program; and, • Providing a broad spectrum of projects to benefit many types of active transportation users. 			

In addition, according to the author, drivers who do not observe traffic laws create dangerous environments for children walking near schools. Senator Cannella believes that by increasing the fines in school zones these drivers will have a greater awareness of the safety of children in school zones.

The City would like to request that the bill be amended to include language that would direct the revenues generated by the proposed \$35 fine to be returned to the issuing agency, so that cities and counties have the ability to use these funds to address the specific safety needs within their jurisdictions.

If SB 1151 becomes law, City staff would need to further analyze the costs associated with implementing the bills requirements.

POLICY ALIGNMENT:

Included within the Council approved City of San Jose 2014 Legislative Guiding Principles is the following language – *VII. Support Efforts to Keep San Jose Safe*: #6 Promote transportation safety and security for all modes including traffic calming within neighborhoods, safe routes to school for children, and increased local authority to set effective traffic control practices on local streets and #7 Provide innovative funding sources to increase enforcement and safety measures on local streets as well as provides funding to provide transportation safety education.

The Legislative Guiding Principles item was heard and approved at the January 14, 2014, San Jose City Council meeting.

SUPPORTERS/OPPONENTS:

Supporters

Central California Regional Obesity Prevention Program (co-sponsor)

Safe Routes to School National Partnership (co-sponsor)

TransForm (co-sponsor)

Alliance for Community Research and Development

California Federation of Teachers

California Pan-Ethnic Health Network

California Walks

City of Goleta

Latino Coalition for a Healthy California

Merced County Office of Education

Opposed

National Motorists Association

Safer Streets L.A.

STATUS OF BILL:

The bill is currently awaiting a hearing in the Senate Appropriations Committee.

FOR QUESTIONS CONTACT: HANS F. LARSEN – (408) 535-3830